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**TRANSMITTAL
FORM**

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Total Number of Pages in This Submission

Application Number

10/675,361

Filing Date

September 30, 2003

First Named Inventor

David L. Kirschman

Art Unit

3738

Examiner Name

Attorney Docket Number

KRS 001 P2

ENCLOSURES

(Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
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| | | | |
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| Firm Name | JACOX, MECKSTROTH & JENKINS | | |
| Signature | | | |
| Printed name | MATTHEW R. JENKINS | | |
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Applicant(s) : David L. Kirschman
Serial No. : 10/675,361
Filed : 09-30-2003
Title : Spinal Fusion System And
Method For Fusing Spinal Bones
Group : 3738
Docket : KRS 001 P2

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Commissioner for Patents
P.O. Box 1450
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Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR §1.97(b)

Pursuant to the provisions of 37 CFR §1.97(b), Applicant(s) wishes to disclose the materials listed below and on the attached form PTO/SB/08A which the Examiner may find relevant to the examination of the above-identified patent application. Pursuant to the Official Gazette Notice of August 5, 2003, waiving the requirements under 37 CFR §1.98(a)(2)(i), Applicant(s) believe copies of any U.S. patents or U.S. patent applications are not required. Copies of any Foreign or Non-Patent references are enclosed herewith.

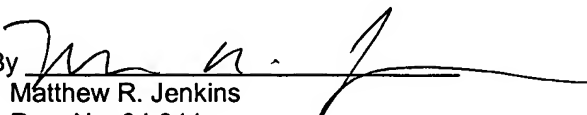
| Patent No. | Issued | Applicant/Inventor(s) | Title |
|------------|------------|-----------------------|--------------------------------------------------------------------------------------------------------------------|
| 5,876,402 | 03-02-1999 | Errico et al. | Anterior Spinal Polyaxial Locking Screw Plate Assembly Having Recessed Retaining Rings |
| 5,951,558 | 09-14-1999 | Fiz | Bone Fixation Device |
| 6,235,034 | 05-22-2001 | Bray | Bone Plate And Bone Screw Guide Mechanism |
| 6,293,949 | 09-25-2001 | Justis et al. | Superelastic Spinal Stabilization System and Method |
| 6,306,139 | 10-23-2001 | Fuentes | Intervertebral Connection Device With An Anti-Extraction Device To Prevent Extraction Of Anchoring Screws |
| 6,413,259 | 07-02-2002 | Lyons et al. | Bone Plate Assembly Including A Screw Retaining Member |

| | | | |
|-----------|------------|-----------------|---------------------------------------------------------------------------------------|
| 6,503,250 | 01-07-2003 | Paul | Bone Support Assembly |
| 6,602,256 | 08-05-2003 | Hayes | Bone Stabilization Plate With A Secured-locking Mechanism For Cervical Fixation |
| 6,620,163 | 09-16-2003 | Michelson | Anterior Cervical Plating System And Bone Screw |
| 6,626,907 | 09-30-2003 | Campbell et al. | Anterior Cervical Plate And Fixation System |
| 6,652,525 | 11-25-2003 | Assaker et al. | Anterior Implant For The Spine |

The filing of this Supplemental Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56(b). By filing this statement, Applicants are not making any representation as to whether any of the references referred to herein are material. Further, Applicants cite these references without prejudice, and Applicants reserve the right to contest the status of these references as prior art.

Respectfully submitted,

JACOX, MECKTROTH & JENKINS

By 
Matthew R. Jenkins
Reg. No. 34,844

2310 Far Hills Building
Dayton, OH 45419-1575
(937) 298-2811
November 30, 2004

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| Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i> | | | | Complete if Known | |
| | | | | Application Number | 10/675,361 |
| | | | | Filing Date | 09-30-2003 |
| | | | | First Named Inventor | David L.Kirschman |
| | | | | Art Unit | 3738 |
| | | | | Examiner Name | |
| Sheet | 1 | of | 1 | Attorney Docket Number | KRS 001 P2 |

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| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

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1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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